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REMARKS

In the Office Action the Examiner noted that claims 1-31 are pending in the application, and the Examiner rejected all claims. By this Amendment, claims 5, 25, and 31 have been cancelled without prejudice or disclaimer, claims 1-4, 6-24, and 26-30 have been amended, and new claims 32-34 have been added. No new matter has been presented. Thus, claims 1-4, 6-24, 26-30, and 32-34 are pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Claim Rejections Under 35 USC §112

In item 3 on pages 2-3 of the Office Action the Examiner rejected claims 2-10, 12-20, and 22-30 under 35 U.S.C. §112, second paragraph, due to alleged antecedent basis problems.

By this Amendment, claims 5 and 25 have been cancelled without prejudice or disclaimer, and claims 2-4, 6-10, 12-20, 22-24, and 26-30 have been amended and no longer include the language in the form rejected by the Examiner. Therefore, the Applicant respectfully requests the withdrawal of the Examiner's §112, second paragraph rejections of claims 2-4, 6-10, 12-20, 22-24, and 26-30.

Claim Rejections Under 35 USC §103

In item 5 on pages 3-19 of the Office Action the Examiner rejected claims 1-7, 9-17, 19-27, and 29-31 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,898,836, issued to Freivald et al. (hereinafter referred to as "Freivald") in view of U.S. Patent Application Publication No. 2003/0140309, issued to Saito et al. (hereinafter referred to as "Saito"). By this Amendment, claims 5, 25, and 31 have been cancelled without prejudice or disclaimer. The Applicants respectfully traverse the Examiner's rejections of the remaining claims.

Claim 1 of the present application, as amended, recites an information searching unit which searches the documents in said registered information collecting destination sites for a predetermined period of time by using the keyword extracted by said keyword extracting unit. Thus, in at least one example embodiment enabled by claim 1, as described from page 51, line 21 to page 54, line 18 of the present application, the apparatus has a function of performing retrieval from the information collection destination site using the keywords extracted after

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detection of an occurrence of an event for a certain period of time. The Applicant respectfully submits that neither Freivald nor Saito disclose or suggest at least this feature of claim 1.

The Examiner alleged, in the discussion of claim 5, that Freivald as modified by Saito discloses such a feature as cited above. However, the Applicant respectfully submits that the alleged modification of Freivald merely discloses a periodic execution of retrieval, not the execution for a predetermined period of time recited in claim 1. While the Examiner has alleged that a predetermined time period is tantamount to a weekly basis or "frequently", the Applicant respectfully submits that one skilled in the art would make no such comparison. As one example, a search for the recited predetermined period of time would allow the retrieval to be carried out from the occurrence of the event (i.e., being detected in the even collecting destination site) and discontinued when the number of retrievals has decreased (i.e., at a point in time when the topic has ceased being "news"). In an operation such as described by the Examiner regarding the modified Freivald, the apparatus would continue to retrieve old information in addition to any possible recent information, and present the old information over and over due to the periodic searches. Also, one would have to wait the week, or whatever the periodic nature of the search, for any possible new information.

Therefore, it is respectfully submitted that neither of the cited references, taken either alone or together, discloses or suggests an information searching unit which searches the documents in said registered information collecting destination sites for a predetermined period of time by using the keyword extracted by said keyword extracting unit. For a proper §103 rejection, the cited references should disclose all of the features of the rejected claim. Thus, the Applicant respectfully submits that claim 1 patentably distinguishes over the cited references.

Further, even assuming arguendo that Freivald and Saito did disclose the features discussed by the Examiner, the Applicants respectfully submit that there is no motivation to combine the cited references. The Examiner has once again merely offered the stated goals of Freivald (Column 3, Lines 49-61) as merits of the combination of the cited references. This does not provide any basis for a motivation for combination. The Examiner stated that Freivald is concerned with providing a user with an indication of how significant a change is, and goes on to allege, without any apparent support, that the keyword extracting of Saito would aid the process of Freivald. However, because Saito merely extracts keywords and weighs them according to their frequency, performs no comparison which would indicate the change which is the concern in Freivald, and performs a search which apparently is not related to Freivald at all (although cited as being advantageous to Freivald by the Examiner), the Applicant respectfully submits

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that not only is there no motivation to combine these references, but they actually teach away from one another. There is apparently no basis whatsoever for the Examiner's allegation that Saito would give the user of Freivald an indication of the significance of a change and reduce the number of change notifications and storage requirements.

MPEP §2143.01 states that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so. Therefore, as there is no requisite motivation to combine the references cited by the Examiner, the Applicants respectfully request the withdrawal of the Examiner's §103 rejections.

Claims 2-4, 6-7, and 9-10 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 2-4, 6-7, and 9-10 also patentably distinguish over the cited references.

Further, claims 11 and 21 recite similar features to those discussed in regard to claim 1. As none of the cited references disclose or suggest at least these features, it is respectfully submitted that claims 11 and 21 also patentably distinguish over the cited references.

Claims 12-17 and 19-20 depend from claim 11, and claims 22-24, 26-27, and 29-30 depend from claim 21. These dependent claims include all of the features of the respective independent claims upon which they depend, plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that claims 12-17, 19-20, 22-24, 26-27, and 29-30 also patentably distinguish over the cited references.

In item 6 on pages 19-22 of the Office Action the Examiner rejected claims 8, 18, and 28 under 35 U.S.C. §103(a) as being unpatentable Freivald and Saito, in further view of U.S. Patent Application Publication No. 2002/0078044, issued to Song et al. (hereinafter referred to as "Song"). The Applicant respectfully traverses the Examiner's rejections of these claims.

As previously discussed in this Amendment, claims 1, 11, and 21 patentably distinguish over Freivald and Saito. Further, as Song apparently merely discloses a system for automatically classifying documents by category using a genetic algorithm and a term cluster, Song does not cure the deficiencies of Freivald and Saito regarding claim 1, 11, and 21 of the present application. Therefore, as claims 8, 18, and 28 depend respectively from claims 1, 11, and 21, it is respectfully submitted that claims 8, 18, and 28 also patentably distinguish over the cited references.

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New Claims 32-34

New claims 32, 33, and 34 depend from independent claims 1, 11, and 21, respectively, and include all of the features of those respective claims plus additional features which are not disclosed or suggested by the cited references. Therefore, it is respectfully submitted that new claims 32-34 also patentably distinguishes over the cited references.

Summary

In accordance with the foregoing, claims 5, 25, and 31 have been cancelled without prejudice or disclaimer, claims 1-4, 6-24, and 26-30 have been amended, and new claims 32-34 have been added. No new matter has been presented. Thus, claims 1-4, 6-24, 26-30, and 32-34 are pending in the application.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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